

REMARKS

In the April 29, 2009 Office Action, the Examiner objected to claims 5-9 and rejected claims 1-4 and 31-32 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication 2004/0126597 to Cohen et al. in view of U.S. Patent No. 7,063,768 to Tsujimoto et al. Applicant respectfully traverses the Examiner's rejections. In this Amendment, Application has amended claims 5-9 to remove the multiple dependencies and has amended claim 1 to insert the words "and" and "band" in locations in which they previously were omitted inadvertently.

Preliminarily, Cohen relates more to the structure of a laminate and less to the method for manufacturing a laminate. The structure of the laminate of Cohen is described by the reference signs 12, 14, 16, 18, 20, 22 and 24. The laminate of Cohen should serve as a moisture barrier coating material, whereas the laminate of the present invention is in particular applicable in vehicle constructions for design of truck superstructures and the like or side walls of caravans or motor homes. There are major differences between Cohen and the present invention as recited in the pending claims.

First, the pending claims in the present application recite the step of providing a *continuous* process foil. While the Examiner cites to layer 20 in Cohen et al. as corresponding to the claimed continuous process foil, nothing in Cohen et al. is cited to support the assertion that that layer 20 of Cohen is a *continuous* process foil.

Second, the pending claims recite the step of "depositing a continuous, substantially non-polymeric semi-manufactured product band to the process foil." The Examiner cites to layer 16 of Cohen as corresponding to this claimed layer. In Cohen, however, the layer 16 is not deposited to the layer 20. Rather, a polymeric layer 18 is positioned between the layers 16 and 18. See, Cohen at [0035]. Further, nothing in Cohen indicates that the layer 16 is *continuous* or that it is a substantially non-polymeric semi-manufactured product band. In

fact, Cohen simply states that layer 16 is a "completed" metal-containing foil. Moreover, Figs. 1, 1A and 1B of Cohen clearly show that the foil 16 is not applied on the foil 20, but on the polymer layer 18. The Examiner is of the opinion that reference sign 20 of Cohen would be a process foil. Contrary to the present invention, however, in Cohen a polymer layer 18 is provided on layer 20, which is however diametrically opposed to the present invention.

Third, Applicant is of the opinion that the Cohen document does not disclose a sealing in the sense of the present invention. What should be sealed with respect to the foils/layers according the Cohen document?

Fourth, according to paragraph [0036] of Cohen, the layers 14 and 16 are laminated or bonded together. Exactly this step is not necessary (thus omitted) in the method of the present invention, as described on page 3, line 9 to 13 of the English language application documents as follows:

A further substantial feature of the method according to the invention is that the bonding between the semi-manufactured product and the synthetics is effected by the hardening itself, so that the until now necessary separate gluing step may be omitted, whereby the problems, which might otherwise occur when gluing are avoided.

The sealing step only makes sense in combination with the hardening step between the synthetics and the semi-manufactured product band, wherein a bonding is provided by means of the hardening. Thus, Cohen actually teaches away from the present invention.

Finally, even if the hardening step would be transferred from Tsujimoto - wherein there is absolutely no incitation in the prior art to do so - , this would not lead to the subject-matter of claim 1. The Examiner considers reference sign 14 as the hardenable synthetics. Even if the synthetics would be hardened as asserted, the aforementioned differences would still remain.

Applicant does not believe any fees are due in connection with the filing of this Preliminary Amendment, but if any such fees are due, including any necessary extension of time, such fees may be charged to Deposit Account 50-2837.

Respectfully submitted,

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